



and claims asserted, or which could have been asserted, in this case and the companion case.<sup>1</sup> The terms of the settlement are confidential. The terms of the settlement have been approved by the Representative Plaintiff, each of the opt-in claimants, Plaintiffs' counsel, and Defendant. All parties have signed the settlement agreement. The settlement was negotiated at arms length, and was achieved after more than two (2) years of investigation, discovery, and negotiation. The terms of the settlement are fair, reasonable, and in the best interest of all parties.

WHEREFORE, the parties respectfully requests this Court to sign the accompanying order approving the settlement and dismissing this case with prejudice per Fed. R. Civ. P. 41, as well as for such other relief, at law and in equity, to which the parties may show themselves justly entitled.

Respectfully submitted,

**DEBES LAW FIRM**

***/s/ ROBERT R. DEBES, JR.***

By: \_\_\_\_\_

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<sup>1</sup> The "companion case" is styled Case No. 1:10-cv-168; *Tracy Barbarossa Grande, et al. v. Steven Wimberly*, in the United States District Court for the Western District of Texas – Austin Division. The Parties will also file a Rule 41 dismissal with prejudice in that case upon notification by the Court that this Joint Motion has been approved.

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**COUNSEL FOR DEFENDANT**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing instrument was forwarded to all counsel of record via ECF delivery on this the 4<sup>th</sup> day of October 2010 as follows:

Stephen M. Orr  
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*/s/ Robert R. Debes, Jr.*

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ROBERT R. DEBES, JR.